

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Antoine M. Wilkins) Case No: 15-31380
Rukiya S. Wilkins) Chapter 13

OBJECTION TO CONFIRMATION

COMES NOW, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on March 31, 2015, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition on March 18, 2015 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325.
3. The debtor fails to meet liquidation requirements in this case, and is proceeding in bad faith.
4. Upon belief and information, the wife debtor transferred real estate from herself to herself and her husband as Tenants by the Entireties. This transfer just outside the two year period prior to filing, but within the Five year look back period under 55-81 et. seq.
5. The previous case of the wife ended just prior to the transfer, and that chapter 13 case was filed at 100% due to the significant equity in the real estate. The value of the real estate at the time of filing was \$290,000.00 with a lien in the amount of \$18,750.00.
6. Based upon the significant equity, the transfer of the real estate without consideration, and timing of the transfer, it seems the debtor transferring the non-exempt equity to her husband and herself, and removing that equity from her unsecured claimholders reach. This appears to be a bad faith plan at 7% distribution to unsecured claimholders.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: July 15, 2015

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee

Certificate of Service

I hereby certify that on July 15, 2015, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Antoine M. and Rukiya S. Wilkins, 5519 West Bay Court, Midlothian, VA 23112 and electronically sent to debtor's attorney, Christopher Mark Winslow, Esquire, chris@chriswinslow.com.

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee

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Debtor Address 5519 West Bay Court
Midlothian, VA 23112

Last four digits of Social Security No(s): 8454
4309

NOTICE OF OBJECTION TO CONFIRMATION

Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan, which was filed in this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

 X File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee
P.O. Box 1819
Richmond, VA 23218

_____ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

 X Attend the hearing on the objection scheduled to be held on **July 22, 2015** at **11:10 am** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5000.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: July 15, 2015

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee
P.O. Box 1819
Richmond, VA 23218-1819
VSBN 34367

Certificate of Service

I hereby certify that on July 15, 2015, I have mailed or hand-delivered a true copy of the foregoing Notice of Objection to Confirmation to the debtor(s) Antoine M. and Rukiya S. Wilkins, 5519 West Bay Court, Midlothian, VA 23112 and electronically sent to debtor's attorney, Christopher Mark Winslow, Esquire, chris@chriswinslow.com.

/s/Susan H. Call
Susan H. Call, Counsel for
Carl M. Bates
Chapter 13 Trustee